



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

Northwest Regional Office, 3190 - 160th Ave S.E. • Bellevue, Washington 98008-5452 • (206) 649-7000

November 29, 1995

**CERTIFIED MAIL**

Z 397 774 039

Mr. John Stiller  
Burlington Environmental, Inc.  
955 Powell Avenue SW  
Renton, WA 98055-2908

Dear Mr. Stiller:

Re: Permit Modification PRMOD8-2; Revised Final Status Closure Plan for the Burlington Environmental Inc. (dba Philip Environmental) Facility at Pier 91, WAD000812917

This correspondence is in response to the revised Final Facility Status Closure Plan submitted to the Department of Ecology (Ecology) dated September 1, 1995.

In summary, Ecology has determined that the closure plan needs further revisions before it can be public noticed and approved for implementation. Burlington Environmental Inc. (Burlington) needs to supply additional information and make corrections in order to fulfill the closure regulations under WAC 173-303-610. The specific deficiencies should be addressed by written comments as well as actual changes in the closure plan.

Comments are attached that address the deficiencies. Please make the appropriate revisions to the closure plan then resubmit to Ecology within thirty (30) days of your receipt of this letter per WAC 173-303-610(3)(b)(iv).

Once the closure plan deficiencies are corrected, Ecology will public notice the closure plan as submitted. At the end of the public notice comment period, the closure plan could be modified with conditions attached to its approval by Ecology (WAC 173-303-610(3)(b)(iii)) before the closure plan is approved for implementation by Burlington.

The submittal also included the "Certification of Tank Decontamination" and the "Certification of Decontamination for Ancillary Equipment" for Tank 164. These documents will be reviewed when the closure of all above-ground structures have been completed.

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Burlington requested an extension to the time line specified in the requirement to submit an amendment to the final closure plan (WAC 173-303-610(3)(b)). For the record, Burlington failed to meet this requirement and could be penalized under the dangerous waste regulation at some future determination. In order to expedite this facility's closure, the extension is granted at this time. This extension does not remove Burlington from any future liability incurred from their failure to notify Ecology in a timely manner on this issue.

If you have any questions or comments regarding our review, please call me at (206) 649-7026 or Galen Tritt at (206) 649-7280.

Sincerely,

*Sally Safioles*

Sally Safioles  
Hydrogeologist  
Hazardous Waste and Toxics Reduction

cc: Doug Hotchkiss, Port of Seattle  
Mike Torpy, Pacific Northern Oil Co.  
Diane Richardson, EPA-X  
Gerald Lenssen, WDOE-HQ  
Julie Sellick, WDOE-NWRO  
D. Hideo Fujita, P.E., WDOE-NWRO  
Galen Tritt, WDOE-NWRO  
File HZW 5.1

BURLINGTON ENVIRONMENTAL INC.  
PIER 91 FACILITY  
RCRA PART B FINAL STATUS CLOSURE PLAN  
November 29, 1995

COMMENTS ON REVISED PART B CLOSURE PLAN DATED: SEPTEMBER 1, 1995

General Comments

1. The plan should emphasize the performance standards for clean closure of above-ground structures and the mechanisms to address subsurface contamination. These two issues are critical to the overall strategy on how to address RCRA closure and corrective action.
2. The performance standards for clean closure are MTCA residential exposure standards as stated in WAC 173-303-610(2)(b). As indicated in the regulations, primarily MTCA Method B is used, although Method A may be used as appropriate (such as TPH). All concrete sampling and analyses must meet the Method B or A standard for soils.
3. The closure plan only addresses above-ground structures, which is appropriate at this stage. However, it should be clear in the closure plan that RCRA Corrective Action will address subsurface contamination (including the concrete containment). It should also be clear that if clean closure or corrective action cannot address residual contamination of groundwater and soil, then a post-closure plan and permit will be required. Financial assurance will be required for all phases that are needed prior to removing the facility from the requirements of RCRA.
4. Burlington needs to provide information within this closure plan to address SWMU #2, the Oil/Water Separator. Since all of the above-ground portions of the facility will be closed and no longer controlled by Burlington, this unit must be accounted for. Any potential contamination associated with this unit will be handled under corrective action, but the actual unit must meet the performance standards for closure just as the load/unload area should.

Specific Comments

- 1) Section II.1, Page 3. Please provide closure dates on the items that were closed under the Interim Status Closure Plan.

- 2) Section I1.1, Page 3. The Part B closure plan included concrete core samples from areas of the facility covered with new concrete to verify that the old concrete was properly decontaminated. The revised plan does not include these samples. These samples should be retained in the revised plan.
- 3) Section I1.2, Page 7. It should be acknowledged that MTCA residential exposure standards for soils will be the performance standard (WAC 173-303-610(2)(b) to be met in any sampling and analysis for concrete samples.
- 4) Section I1.4, Page 9. In the table it would be helpful if dates were included on tasks that have actually been completed. Please provide the month and year each task was completed. On Page 10 it is stated that the secondary containment for Tank 164 has been completed; that should also be included on table. Since there are a number of areas to undergo closure (Tank 164, secondary containment in the small yard and the load/unload area) it would be helpful to break out specific areas. This table appears to only address Tank 164 and the small yard area.
- 5) Section I1.5.2, Page 13. All cracks/gaps and stains should be thoroughly mapped for potential biased sampling sites for concrete or subsurface sampling.
- 6) Section I1.5.3, Page 14 and 15. Additional biased samples will need to be collected in response to comment number 5. A method or criteria for selecting which sample to collect should be included in the plan. Also, VOCs should be collected on some of the samples. During the Interim Status Closure, VOCs were not required; but since this is for final closure, some VOC samples are needed to verify that the cleaning of the secondary containment within the small yard has been accomplished. This closure plan covers the areas where dangerous wastes were handled. Even though the sampling procedure may cause significant volatilization, some samples need to be collected to verify this. Field QA/QC samples (such as field duplicates) should also be collected and specified in this closure plan.
- 7) Section I1.5.3, Page 15. The clean closure standard for concrete will be MTCA Method B/A for soils. The analytical detection limits must quantify those standards. In Appendix I-5, there is a table showing some of the constituents and laboratory detection limits. An additional column should list the relevant MTCA B or A standards. All organic compounds should also be listed with detection limits or acceptable PQLs that the laboratory will be required to meet. The performance standards should be provided to the laboratory to insure adequate quantification.

- 8) Section I2.0, Page 16. It should be acknowledged that if clean closure or corrective action cannot address residual contaminated soil, groundwater or concrete, then a post-closure permit and financial assurance will be required. Please revise this section to account for this contingency, as stated within your interim status closure plan.
- 9) Section I3.0, Page 20. The sampling and analysis cost should include additional biased sampling.
- 10) Section I4.0, Page 21. Burlington will need to make some post-closure financial assurance mechanism available. At present Burlington is only addressing the above-ground portions of the facility under the final facility closure plan. Corrective action was intended to be completed prior to final closure. At that time the need for Post Closure would have been addressed. Since final closure is not addressing the below ground contamination at the site and there is not yet any corrective action mechanism in place that addresses financial assurance, some form of financial assurance is necessary. Please provide post-closure cost estimates based on existing conditions and the financial mechanism that will be used to cover these potential costs as required by WAC 173-303-640(8). A provision can be made to delete this requirement once a corrective action mechanism is in place for the facility. Some form of financial assurance will need to be provided in order to bridge the gap between closure and corrective action.
- 11) Section I5.0, Page 22. Until the need for Post Closure care has been determined, the need for deed restrictions is not yet known. Please provide wording within this section that accounts for this possibility.
- 12) Appendix I-6, Page 2. No map was attached showing concrete sampling points. Please provide an enlarged figure showing the secondary containment area of the small yard in which dangerous waste was handled and the load/unload area; also show, at a minimum, the locations of sumps for biased sampling and the anticipated random sample location. The additional biased sample will need to be determined in the field based on the number of cracks/gaps/stains.